

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

HARRY SMITH, JR. and
ROSLYN WOODARD SMITH,
Individually and as Administrators of
The ESTATE OF HARRY SMITH, III,

Plaintiffs,

v.

CIVIL ACTION NO. 04-1254-GMS

CITY OF WILMINGTON,

JOHN CIRITELLA, in his individual capacity
and in his official capacity as a police officer of
the Wilmington Police Department,

THOMAS DEMPSEY, in his individual capacity
and in his official capacity as a police officer of
the Wilmington Police Department,

and

MATTHEW KURTEN, in his individual capacity
and in his official capacity as a police officer of
the Wilmington Police Department,

Defendants.

**ORDER RE PLAINTIFFS' MOTION TO FILE A SECOND AMENDED COMPLAINT
AND
CERTIFICATION OF COMPLIANCE WITH LOCAL RULE 7.1.1**

This matter having come before this Court upon Plaintiffs' Motion to File a
Second Amended Complaint (Docket # ____) and Certificate of Compliance with Local
Rule 7.1.1, and the Court having been advised in the Premises, it is hereby

ORDERED that Plaintiffs' Motion is hereby GRANTED.

DATED: _____

BY THE COURT:

Gregory Sleet
United States District Judge